PATENT APPLN. NO. 10/809,842 RESPONSE UNDER 37 C.F.R. §1.111 PATENT NON-FINAL

IN THE CLAIMS:

1. (currently amended) A nonaqueous electrolyte secondary battery comprising a positive electrode including a positive electrode active material, a negative electrode including a carbon material as a negative electrode active material and a nonaqueous electrolyte including a solvent and a solute, wherein sulfolane is contained as a solvent in the nonaqueous electrolyte in an amount of 20 ~ 45 % by volume, on the basis of the total volume of the solvent, and vinyl ethylene carbonate and vinylene carbonate or a derivative of vinylene carbonate are added to the nonaqueous electrolyte.

2. (canceled)

- 3. (original) The nonaqueous electrolyte secondary battery according to claim 1, wherein the amount of vinyl ethylene carbonate added to the nonaqueous electrolyte is in a range of 0.1 ~ 5 parts by weight per 100 parts by weight of the nonaqueous electrolyte.
 - 4. (canceled)

- 5. (original) The nonaqueous electrolyte secondary battery according to claim 1, wherein the amount of vinylene carbonate or a derivative thereof added to the nonaqueous electrolyte is in a range of 0.1 ~ 5 parts by weight per 100 parts by weight of the nonaqueous electrolyte.
 - 6. (canceled)
- 7. (original) The nonaqueous electrolyte secondary battery according to claim 3, wherein the amount of vinylene carbonate or a derivative thereof added to the nonaqueous electrolyte is in a range of $0.1 \sim 5$ parts by weight per 100 parts by weight of the nonaqueous electrolyte.
 - 8. (canceled)
- 9. (currently amended) The nonaqueous electrolyte secondary battery according to claim 1, wherein the nonaqueous electrolyte contains γ -butyrolactone and sulfolane as the main solvents a main solvent.
 - 10. (canceled)

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- 11. (currently amended) The nonaqueous electrolyte secondary battery according to claim 3, wherein the nonaqueous electrolyte contains γ -butyrolactone and sulfolane as the main solvents a main solvent.
 - 12. (canceled)
- 13. (currently amended) The nonaqueous electrolyte secondary battery according to claim 5, wherein the nonaqueous electrolyte contains γ -butyrolactone and sulfolane as the main solvents a main solvent.
 - 14. (canceled)
- 15. (currently amended) The nonaqueous electrolyte secondary battery according to claim 7, wherein the nonaqueous electrolyte contains γ -butyrolactone and sulfolane as the main solvents a main solvent.
 - 16. (canceled)

- 17. (original) The nonaqueous electrolyte secondary battery according to claim 1, wherein the carbon material has a ratio (I_D/I_G) of a Raman spectrum intensity (R) obtained by Raman spectroscopy of 0.2 or greater.
 - 18. (canceled)
- 19. (original) The nonaqueous electrolyte secondary battery according to claim 3, wherein the carbon material has a ratio (I_D/I_G) of a Raman spectrum intensity (R) obtained by Raman spectroscopy of 0.2 or greater.
- 20. (original) The nonaqueous electrolyte secondary battery according to claim 5, wherein the carbon material has a ratio (I_D/I_G) of a Raman spectrum intensity (R) obtained by Raman spectroscopy of 0.2 or greater.